

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DENNIS TEAGUE,

Plaintiff,

v.

MARK PHILLIPS and MIKE D. HAYES,

No.04-317-DRH

Defendant.

ORDER

HERNDON, Chief Judge:

Before the Court is Plaintiff's motion for voluntary dismissal (Doc. 91). Specifically, Plaintiff moves to dismiss his claim without prejudice against Mark Phillips and Mike D. Hayes, costs to be born by each side. The Court **ACKNOWLEDGES** the dismissal and **DISMISSES without prejudice** Plaintiff's cause of action against the Defendants, costs to be born by each side. The Court will close the file.

IT IS SO ORDERED.

Signed this 27th day of January, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**